

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

MEGAN PETE, an individual

Plaintiff,

Civil Action No. 1:24-cv-24228-CMA

v.

MILAGRO ELIZABETH COOPER,
an individual,

JURY TRIAL DEMANDED

Defendant.

**UNOPPOSED MOTION FOR LEAVE TO TAKE
ORAL DEPOSITION OF DAYSTAR PETERSON**

Megan Pete, by and through undersigned counsel, requests leave of the Court for Mr. Peterson to be deposed while incarcerated pursuant to the Federal Rule of Civil Procedure 30(a)(2)(B). Counsel for Ms. Cooper and Mr. Peterson do not oppose this request. In support thereof, the Parties request the Court to enter the proposed Order attached hereto as Exhibit A, so that the Parties may proceed with Mr. Peterson's deposition. Mr. Peterson's deposition is necessary for Ms. Pete to fully investigate the extent and bases of Defendant's conduct and Defendant's relationship with Mr. Peterson, in support of her claims. *See, e.g., Aviation Concepts, Inc. v. Starr Indem. & Liab. Co.*, No. 19-60513-CIV, 2019 WL 7708456, at *1 (S.D. Fla. Nov. 27, 2019) (permitting defendant to take video deposition of incarcerated witness who owned fifty percent of plaintiff corporation and possessed key evidence); *Shepard v. Alvarez*, No. 08-10090-CIV, 2009 WL 1871966, at *1 (S.D. Fla. June 26, 2009) (granting defendants leave to depose and serve document requests on incarcerated plaintiff, in addition to extending discovery deadline);

Commodity Futures Trading Comm’n v. Valko, No. 06-60001-CIV, 2006 WL 2620197, at *4 (S.D. Fla. Jan 4, 2006) (granting parties leave to take depositions of defendants in prison).

WHEREFORE, the Parties jointly request entry of the proposed Order attached hereto as Exhibit A.

Dated: February 24, 2025

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CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2025, I electronically filed the forgoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing is being served this day on all counsel of record in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel who are not authorized to receive Notices of Electronic Filing.

/s/ Daniel L. Humphrey
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